

**BOARD OF SELECTMEN
SMOKING PROHIBITION ON CERTAIN TOWN OWNED BEACHES
and ADJACENT PARKING AREAS**

1.0 Authority

The Board of Selectmen hereby and in accordance with their statutory authority and responsibility for town-owned land, establishes a regulation pertaining to the use of such town owned land as herein described.

2.0 Purpose

In an effort to keep our beaches' cleaner, and out of consideration for the health, safety and enjoyment of all citizens, the town will initiate a smoking ban on all public beaches and adjacent parking areas owned by the Town of Eastham, *effective June 15, 2010*.

3.0 Applicability

This regulation shall apply to Wiley Park Beach Area, Playground and Bathhouse, and all other public bathing beaches owned and operated by the Town of Eastham as of the above noted date and to all areas acquired after that date with the express purpose to be used as a public bathing beach (Public Bathing Beach Listed in the Appendix of this regulation) and adjacent parking areas. Private vehicles are private property and patrons may smoke therein.

4.0 Rules and Regulations

All persons are prohibited from using any smoking tobacco or non-tobacco products on any portion of town-owned beaches between mean low water and upland and parking lots and surrounding dry land areas, (i.e., dunes).

5.0 Enforcement

This regulation may be enforced by designated employees of the town of Eastham including, but not limited to, seasonal staff, police, health and natural resource personnel. Enforcement shall be in the following manner:

Any person reported or observed using tobacco products on the beach as defined above, or adjacent parking areas, will be given a verbal instruction by designated staff. Failure to comply with verbal instructions and directions, and/or to dispose of tobacco products in containers provided for that purpose, may result in penalties including the issuance of a non-criminal citation, written warning, or revocation of a beach permit. Private vehicles are private property and patrons may smoke therein.

6.0 Effective

This regulation shall be effective on the fifteenth of June (i.e., June 15) through Labor Day of each year.

Adopted at a Public Hearing held on May 5, 2010 by Town of Eastham Board of Selectmen